

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

SHELIA K. FERGUSON,

*Plaintiff,*

v.

CAROLYN COLVIN,  
COMMISSIONER OF SOCIAL SECURITY,  
*Defendant.*

CIVIL ACTION NO. 6:13-cv-00047

ORDER

JUDGE NORMAN K. MOON

This matter is before the court on the parties' cross Motions for Summary Judgment (docket nos. 16 and 18), and the Report & Recommendation of United States Magistrate Judge Robert S. Ballou (docket no. 35, hereinafter "Report"). Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for proposed findings of fact and a recommended disposition. The parties filed cross motions for summary judgment, and on December 8, 2014, Judge Ballou filed a Report recommending that Plaintiff's Motion for Summary Judgment (docket no. 16) be denied, and the Commissioner's Motion for Summary Judgment (docket no. 18) be granted. After a review of the record in this case, and no objections having been filed to the Report within fourteen days of its service upon the parties,<sup>1</sup> I adopt the Report in its entirety.

---

<sup>1</sup> On December 23, 2014, Plaintiff Shelia Ferguson filed an objection to the Report (docket no. 36). In her filing, she states "I am filing an objection to this ruling and would like to request another hearing where I can provide additional medical evidence to support my claim." *Id.* Such an objection fails the "specificity" requirement enumerated in Federal Rule of Civil Procedure 72(b)(2) and 28 U.S.C. § 636(b)(1)(C) and has the "same effect[]" as would a failure to object." *Veney v. Astrue*, 539 F. Supp. 2d 841, 845 (W.D. Va. 2008) (quoting *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991)).

Accordingly:

1. The Report of December 8, 2014, is hereby ADOPTED in its entirety;
2. Plaintiff's Motion for Summary Judgment (docket no. 16) is hereby DENIED;
3. Defendant's Motion for Summary Judgment (docket no. 18) is hereby GRANTED; and
4. This case is hereby DISMISSED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so ORDERED.

Entered this 22nd day of January, 2015.

  
\_\_\_\_\_  
NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE